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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDITH MACIAS, individually and on  
behalf of similarly situated  
individuals; HOTON DURAN;  
TIFFANY HUYNH; AURA MENDIETA;  
WILLIAM LABOY; MIGUEL ACOSTA;  
CRUZ ACOSTA; CUAUHEMOC  
TORAL; and TERESA VILLEGAS,

Plaintiffs,

vs.

THOMAS J. TOMANEK; and  
MARK GARIBALDI, individually  
and doing business as THE  
GARIBALDI COMPANY,

Defendants.

Case No. C07-3437 JSW

JOINT APPLICATION AND  
STIPULATION TO AMEND BRIEFING  
SCHEDULE ON DEFENDANTS'  
MOTIONS TO DISMISS; [~~PROPOSED~~]  
ORDER

CLASS ACTION

Hearing:

Date: January 12, 2008  
Time: 9:00 a.m.  
Room: Courtroom of the  
Hon. Jeffrey S. White

Defendants Thomas J. Tomanek and Mark Garibaldi have filed motions to dismiss plaintiffs' first amended complaint. (Doc. ## 20, 22.) This Court has issued orders setting a briefing schedule on those motions. (Doc. ## 21, 24.) Currently, plaintiffs' opposition is due by no later than November 2, 2007, and defendants' replies are due on November 9, 2007.

By way of this application, the parties seek to amend the briefing schedule so that plaintiffs' oppositions are due on November 9, 2007, and defendants' replies are due on November 23, 2007. There is good cause to grant this application. Plaintiffs'

JOINT APPLICATION AND STIPULATION TO AMEND BRIEFING SCHEDULE ON  
DEFENDANTS' MOTIONS TO DISMISS; [~~PROPOSED~~] ORDER; Case No. C 07-03437 JSW

1 counsel's firm has been in trial in Los Angeles since the week of October 8th. Trial was  
2 expected to conclude this week, but now looks to continue into the beginning of the  
3 week of October 29th. An additional week will give plaintiffs' counsel the time  
4 necessary to prepare and file the oppositions. Accordingly, the parties request that the  
5 Court issue an order amending the briefing schedule so plaintiffs' oppositions are due  
6 on November 9, 2007, and defendants' replies are due on November 23, 2007.

7 SO STIPULATED.

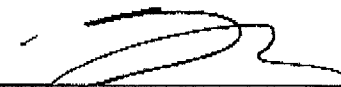
8 BRANCART & BRANCART

9 Dated: October 23, 2007

10   
11 Elizabeth Brancart  
12 Attorneys for Plaintiffs

13 ALLMAN & NIELSEN, P.C.

14 Dated: October 23, 2007

15   
16 Sara B. Allman  
17 Attorneys for Defendant  
18 Thomas J. Tomanek

19 FARBSTEIN & BLACKMAN

20 Dated: October 23, 2007

21 John S. Blackman  
22 Attorneys for Defendant  
23 Mark Garibaldi and the  
24 Garibaldi Company

25 \* \* \*

26 IT IS SO ORDERED.

27 Dated: \_\_\_\_\_

28 Jeffrey S. White  
United States District Judge

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7 SO STIPULATED.

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9 Dated: October 23, 2007

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16 Thomas J. Tomanek

17 FARBSTEIN & BLACKMAN

18 Dated: October 23, 2007

19 John S. Blackman  
20 Attorneys for Defendant  
21 Mark Garibaldi and the  
22 Garibaldi Company

23 \* \* \*

24 IT IS SO ORDERED.

25 Dated: October 26, 2007

26 Jeffrey S. White  
27 United States District Judge  
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